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Special Political and Decolonization Committee (Fourth Committee)

Summary record of the 6th meeting
Held at Headquarters, New York, on Friday, 6 October 2017, at 10 a.m.

Chair: Mr. Ramírez Carreño (Bolivarian Republic of Venezuela)

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The meeting was called to order at 10.10 a.m.

Agenda item 58: Information from Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations (*continued*) (A/72/23 (chaps. V and XIII), and A/72/62)

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1. **Mr. Kpayedo** (Togo) said that the only realistic way of achieving peace in Western Sahara was through negotiation. The Moroccan proposal to grant a high degree of autonomy to the Territory was constructive, striking a balance between the expectations of the two parties, satisfying the requirements of self-determination and of international law, and attesting to the willingness of Morocco to cooperate with the United Nations in its efforts to reach a negotiated, mutually acceptable political solution to the dispute. The development efforts pursued by Morocco in Western Sahara should also be applauded, as should the smooth conduct of the 2015 municipal elections in Western Sahara in a noteworthy atmosphere of peace and tranquillity.

2. A political process was under way under the auspices of the United Nations and the parties should heed the Security Council's call to show realism and a spirit of compromise. Morocco had been cooperative in its support for the facilitation mission of the newly appointed Personal Envoy of the Secretary-General for Western Sahara, within the parameters established by the Security Council since 2007.

3. Humanitarian considerations demanded that a census of the Saharan refugees in the Tindouf camps in Algeria be permitted, as recommended repeatedly by the Office of the United Nations High Commissioner for Refugees (UNHCR), the Security Council and the Secretary-General.

4. The conflict in Western Sahara must be resolved as a matter of urgency. The consequences were devastating not only for the Saharan people but also for the prospects of regional cooperation. Acts by extremists and terrorists in the wider Sahelo-Saharan region could further jeopardize peace and stability in the Territory and were a serious cause for concern. Furthermore, the Secretary-General was right to maintain in his report S/2017/307 that the resolution of the question of Western Sahara was subject to an improvement in relations between Morocco and Algeria. Togo urged the two Governments to pursue dialogue with a view to advancing a peaceful settlement.

5. **Mr. Hasegawa** (Peru) said that as a founding Member of the United Nations, Peru was firmly committed to eradicating colonialism in the 17 remaining Non-Self-Governing Territories during the Third International Decade for the Eradication of Colonialism. The process basically required two fundamental factors for success: a decisive political will; and a case-by-case approach in line with the specific circumstances in each Territory. Thus, each Territory should be subject of an ongoing assessment and the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Special Committee on decolonization) should maintain direct contact with both sides with a view to finding possible solutions leading to decolonization. The administering Powers should cooperate resolutely with the Special Committee and do what was necessary to hasten decolonization and facilitate sustained growth in the dependent Territories.

6. A matter of particular concern was the case of the Malvinas Islands, where historical and legal circumstances precluded the possibility of exercise of the right to self-determination. Peru had consistently supported the legitimate sovereignty rights of the Argentine Republic over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, in accordance with the provisions of General Assembly resolution 2065 (XX), adopted 50 years earlier. Negotiation was the only means of resolving that issue, and Argentina and the

United Kingdom should resume talks as soon as possible with a view to finding a peaceful, constructive and sustainable solution to the dispute. The Governments of both States had made welcome efforts to improve bilateral relations. They should meanwhile, in accordance with General Assembly resolution 31/49, refrain from taking decisions that would imply introducing unilateral modifications in the existing situation of the Islands.

7. **Ms. Ngyema Ndong** (Gabon) said that with the Third International Decade for the Eradication of Colonialism due to come to an end in just over two years, it was time to accelerate the pace of decolonization and rethink the methods used in the preceding 30 years. Ongoing dialogue and the commitment and cooperation of all stakeholders were crucial. Her Government reaffirmed its support for the political process under way in Western Sahara under the aegis of the Secretary-General and for the facilitation mission undertaken by his Personal Envoy. The security situation in the entire region, which could easily be exacerbated by the conflict in Western Sahara, was at stake. Efforts must be made to reinvigorate the negotiations.

8. Thus, Gabon welcomed the autonomy initiative proposed by Morocco, which provided credible and solid prospects for ending the current deadlock and reaching a definitive agreement. Morocco was to be commended for its continued advancement of human rights and of economic and social development in the Sahara region, and for its success in holding local and regional elections in which the Saharan population had taken part.

9. All the countries in the region must join forces to secure stability and socioeconomic development in order to reduce the risk of destabilization caused by terrorist activities, especially in the Sahel.

10. **Mr. Barro** (Senegal) said that the evolving question of Western Sahara should be considered in the light of the autonomy initiative drawn up in good faith by the Moroccan Government in 2007. The Security Council itself had seen it as a serious and credible way to move the negotiations forward. Senegal was convinced more than ever that the proposal provided an appropriate framework for resolving the decades-old dispute; and it encouraged the neighbouring countries to make their own contributions to the United Nations efforts to achieve a definitive solution. Security Council resolution 2351 (2017) had established a correlation between a negotiated political settlement of the dispute and the new impetus given to cooperation among the member States of the Arab Maghreb Union.

11. The potential benefits to be derived from the settlement of the dispute were inestimable not just in terms of cooperation and development but also a means of addressing the huge challenges of terrorism, transnational organized crime, trafficking and irregular migration facing the Maghreb, the Sahel and the world. A negotiated political solution based on the Moroccan initiative would also help to deal with the question of the refugees in the Tindouf camps, in keeping with international humanitarian law.

12. It was undeniable that Morocco had achieved significant progress in the Sahara region itself in the areas of human rights, democracy and socioeconomic development. The people of Moroccan Sahara had been able for the first time to elect their own local and national representatives; and Morocco had launched a new development model in the southern provinces in 2015. It was encouraging that Morocco had reaffirmed its support for the ongoing United Nations-sponsored political process aimed at reaching a negotiated and mutually acceptable political solution to the regional dispute over the Sahara, as recommended in the 12 Security Council resolutions adopted since 2007.

13. **Mr. Lapouge** (France) said that his Government would continue to cooperate fully with the United Nations on the question of New Caledonia. Its contribution as administering Power to the working document on the Territory, providing the requisite information under Article 73 *e* of the Charter of the United Nations, had been submitted to the Special Committee in February. A United Nations expert mission had at the request of France visited Nouméa to observe the revision of the special provincial voters' list and the special voters' list for the referendum and its presence had contributed to an atmosphere of calm. The French authorities had considered the report of the expert mission and were seeking to implement the United Nations recommendations.

14. An official request would be submitted for the renewal of the mission in 2018. A political agreement in the following weeks concerning automatic registration on the voters' lists would require longer review periods for the lists than in preceding years and further availability of the United Nations teams.

15. His Government remained a conscientious partner, concerned for the well-being of New Caledonia. It continued to invest significantly in the development of

the Territory and to ensure that local authorities exercised their powers in a legitimate manner with due regard for Kanak cultural customs. The Government's concern was to arrive at common positions on sensitive issues with a view to forging a common destiny.

16. The Nouméa Accord, which had become law in 1999, provided for a distribution of functions between the Government of France and New Caledonia. Powers were being transferred irreversibly to New Caledonia together with compensation by the State for the human, material and financial means necessary for their exercise. Under the Accord, the authorities of New Caledonia exercised sovereignty over foreign affairs. The Territory had been unanimously elected as a full-fledged member of the Pacific Islands Forum by the Oceanic leaders.

17. The Territory enjoyed true and effective autonomy. His Government was firmly committed to assisting New Caledonia in moving towards the choices it would be making in 2018 and to cooperating in a transparent and productive manner on the issue. The question of having observers at the referendum on self-determination would be carefully considered.

18. **Mr. Zaayman** (South Africa) said that Member States of the United Nations remained duty bound to respond to the plight of those appealing for decolonization, independence, statehood and human rights. Far from being unreasonable, the aspiration for self-determination was what each nation, at some point in its history, had demanded from those that had denied it that fundamental right.

19. The people of Western Sahara had been waiting for decades to exercise self-determination. The presence in the refugee camps of persons over the age of forty who had never tasted any freedom was a strong indictment of the international community. The relaunching in 2017 of the negotiating process by the Secretary-General with a new dynamic and a new spirit was encouraging. His newly appointed Personal Envoy should receive all the support he required in order to achieve a lasting, peaceful solution that would fully respect the inalienable right to self-determination of the people of Western Sahara.

20. The African Union had remained strongly committed to the decolonization of Western Sahara and the Assembly of the African Union had adopted a 2015 decision calling on the United Nations General Assembly to determine a date for the holding of the referendum for self-determination. The matter should not be subject to discussion.

21. **Ms. Kpongo** (Central African Republic), denouncing the persistence of colonialism as an anachronism in the early twenty-first century, said that the regional dispute in the Maghreb had been at an impasse for forty-two years owing to the entrenched position of certain protagonists. All efforts to resolve the crisis proposed by the United Nations and Morocco had failed because of manoeuvring, hindrances and reversals by the other parties. Thus, the negotiation of a mutually acceptable political solution as the only means of resolving the issue was recommended by the Security Council and should be endorsed as the only realistic option.

22. Historically, under the Madrid Accord, the Sahara region had been recognized as forming part of the territory of Morocco. Morocco had invested heavily in the development of the region, and following legislative and local elections, described by international observers as free and democratic, local Saharan women and men had been appointed to head institutions in the region.

23. The Central African Republic supported the negotiation process launched under the auspices of the United Nations on the basis of the Moroccan autonomy initiative, and all parties to the dispute should be realistic and be ready to compromise. The solution of the long-standing dispute would reinforce cooperation among the member States of the Arab Maghreb Union and would contribute to stability and security in the Sahel and in the rest of Africa.

24. An unprecedented crisis in her country had caused massive displacements of people within and outside the territory. The Central African Republic fully supported the United Nations resolutions that sought to secure better living conditions for refugees and internally displaced persons. Recognizing the sanctity and inviolability of the human person, as enshrined in the Universal Declaration of Human Rights, as the basis for any human community and for peace and justice in the world, her Government had incorporated those values into its legislation and in the Constitution of 2016.

25. Her Government strongly condemned any kind of trafficking and intended to step up actions against networks dealing in the trafficking of human beings, especially migrants, and of drugs or light weapons, and planned to adopt specific victim-protection measures and a national plan of action to combat all forms of trafficking.

26. **Mr. Hawke** (New Zealand) said that his country's relationship with Tokelau was based on partnership. Working closely with the leadership and people of the Territory, New Zealand had been guided by the pace they set as they progressed towards the future of their own choosing. The most recent referendums, held in 2006 and 2007, had fallen short of the majority required for Tokelau to become a self-governing nation in free association with New Zealand.

27. The Territory was developing its own style of governance, which blended its traditional village-based leadership with national political institutions. The many positive recent developments included the establishment of a Public Service Commission, improvements in the quality of its public financial management and the creation of a Fisheries Management Agency to manage offshore resources. In addition, Tokelau had built its international profile on climate change, attending multilateral meetings to highlight the impact of climate change on the small nations of the Pacific. New Zealand supported those developments and, given its commitment to improving the quality of life of its most remote citizens, would continue to fund the budget of Tokelau, invest in improving its infrastructure and public services and support the Territory in improving its governance.

28. While the New Zealand Administrator of Tokelau and the Minister for Foreign Affairs both had statutory responsibilities for Tokelau, in practice the leaders of Tokelau carried those responsibilities and made decisions for the people of the Territory on a day-to-day basis. That complexity demanded clear and open communication and enabled New Zealand to navigate the unique and evolving nature of its relationship with Tokelau.

29. **Mr. do Rego** (Benin) said that the Secretary-General's efforts to initiate a frank and constructive dialogue between the parties to the conflict in Western Sahara, together with the appointment of his Personal Envoy, would be instrumental in advancing a negotiated and mutually acceptable political solution to the issue. His country fervently wished for a positive outcome in the interest of stability in the Maghreb. The political process must be given priority and any initiative emanating from the Security Council for the adoption of a timetable and concrete parameters for credible negotiations should be supported. Benin continued to endorse the Moroccan autonomy initiative, which should be the basis for the political process and the only framework for a compromise solution to the regional dispute. No initiative would be successful, however, without the commitment of the parties, who should, in a spirit of compromise, seek fair and mutually acceptable solutions that would lead to lasting peace and the definitive settlement of the issue.

30. **Mr. Tupouniua** (Tonga) said that any compromise reached as a result of the welcome political process being led by the Secretary-General for the achievement of an acceptable settlement of the Western Sahara dispute must be realistic, fair and consistent with the relevant Security Council resolutions. His newly appointed Personal Envoy would be crucial in bringing the issue to an amicable conclusion. All countries directly or indirectly involved must play their part, under the leadership of the Committee, in finding a solution that would improve the human rights situation and further the economic and social development of the people of Western Sahara.

31. **Mr. Alhammadi** (United Arab Emirates) said that resolving conflicts politically would restore stability and security at the regional and global levels, especially in the light of the increasingly violent spread of terrorism and extremism. The ongoing political process in Western Sahara under the sole auspices of the Secretary-General, and facilitated by his Personal Envoy, sought to reach a negotiated solution that would be just, lasting, acceptable to all parties involved and respectful of the parameters set by the Security Council since 2007. Recognizing that such a solution was feasible, the Council had called on the parties to be realistic and maintain a spirit of compromise.

32. The United Arab Emirates held to its principled position that the territorial integrity of the Kingdom of Morocco must be maintained. It supported the Kingdom's autonomy initiative, described by the Security Council since 2007 as serious and credible, and paving the way for a settlement. Morocco had in the interim made valuable efforts to ensure the development of the Saharan region and to improve the economic and social situation there, notably by launching the new development model for the southern provinces; and it had also taken initiatives in the field of human rights in cooperation with the Office of the United Nations High Commissioner for Human Rights. It was commendable that the Saharan inhabitants had participated in national and local parliamentary elections in an environment of democracy, freedom, transparency and calm.

33. Enhancing cooperation between the members of Arab Maghreb Union was important and would ensure

stability and security in the entire Sahelo-Saharan region.

34. **Ms. Cerrato** (Honduras), highlighting the valuable work done by the Special Committee on decolonization for over fifty years in its consideration of the question of the Malvinas Islands, and recognizing also the work of the Committee and other United Nations bodies, said that the Argentine Republic had legitimate sovereign rights over those Islands, which were currently under occupation. The good offices exercised by the Secretary-General and the work done by the General Assembly to advance a peaceful solution to the dispute should be acknowledged, but further efforts must be made to fulfil that objective.

35. Honduras had assured Argentina of its support on several occasions in the context of its membership in multilateral organizations, mechanisms and forums, all of which recognized the sovereignty of Argentina over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. Standing with Argentina, the whole of Latin America advocated a speedy, peaceful and lasting resolution of the dispute. The members of the Community of Latin American and Caribbean States, moreover, stood committed to ridding the entire region of colonialism.

36. **Mr. Diaz Ortega** (Mexico) said that the decolonization process had been one of the greatest contributions of the United Nations to the geopolitical landscape since the Second World War. Some 80 Territories had achieved independence, deciding their own political destiny, and had entered as sovereign States into membership in the Organization.

37. However, colonialism could not yet be consigned to the past, because some Territories were still unable to exercise their right to self-determination. It was the responsibility of the United Nations in the twenty-first century to determine how to implement fully the spirit and the letter of the Declaration on decolonization and other relevant General Assembly resolutions and to uphold the principles of the Charter. Mexico hoped that the Committee's work would culminate in constructive proposals that would demonstrate the international community's support for resolving through peaceful means the questions relating to decolonization.

38. Mexico reaffirmed its support for efforts to find a peaceful, just and lasting solution to the conflict in Western Sahara, in accordance with the relevant Security Council and General Assembly resolutions, and for the holding of a referendum that included all options for the future of the Sahrawi people and was accepted by all parties concerned. Furthermore, Mexico supported the efforts of the Personal Envoy of the Secretary-General for Western Sahara to bring the parties back to the negotiating table. Necessary measures must be taken to ensure that MINURSO was able to effectively fulfil its mandate and respond to changing circumstances on the ground.

39. Mexico wished to reiterate its position regarding the legal and historical rights of Argentina in the sovereignty dispute over the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. Argentina and the United Kingdom, on the basis of their shared values and other ties, should continue to seek a peaceful, just and lasting solution to the conflict. Mexico called on the parties to refrain from unilateral actions that would breach relevant resolutions and to make use of the good offices of the Secretary-General.

40. **Mr. Koonjul** (Mauritius) said that the suffering of the people of Western Sahara had lasted too long. Numerous deaths had recently been recorded in the Territory and a flare-up there could have a direct impact on security in the whole Maghreb. The situation must not be allowed to escalate into violence and the ceasefire must be respected. A speedy resolution to the conflict was necessary not only for those directly involved but also for the neighbouring States, as the conflict was hindering the economic integration of North Africa. The Secretary-General had proposed relaunching the negotiations between the parties to the dispute under the guidance of the Security Council, within a framework that included an agreement on the nature and form of the self-determination exercise. All parties involved should negotiate in good faith to reach a mutually acceptable political solution that would provide for self-determination. The African Union, which had itself appointed a Special Envoy, later raised to High Representative, for Western Sahara, had taken the position that the General Assembly must set a date for a referendum, the organization of which was the mandated duty of the United Nations Mission for the Referendum in Western Sahara (MINURSO).

41. There would be no real progress in decolonization unless and until the administering Powers genuinely committed themselves to respecting the will of those living under their colonial rule. The Special Committee on decolonization should, for its part, pursue its work on a case-by-case basis, taking into account the particularities of each dependent Territory. Capacity-

building and an environment conducive to the sustainable economic growth of the Territories would enable them to become fully independent and prosperous, thus contributing to the well-being of their people and to the peace, stability and prosperity of the world.

42. The General Assembly, by requesting in resolution 71/292 an advisory opinion of the International Court of Justice on the legal consequences of the separation of the Chagos Archipelago from Mauritius in 1965, which was a pending decolonization issue, had underscored its own resolve to give effect to its mission under the Declaration on decolonization. All Member States should make first-round submissions to the Court by the deadline set for early 2018, and attend subsequent oral hearings, as a way of showing support for the completion of the decolonization of Mauritius. As stakeholders, all should strive to ensure that the Third International Decade for the Eradication of Colonialism was the last decade in which the Committee would need to deal with the issue.

43. **Mr. Cheng** Lie (China) said that the Non-Self-Governing Territories were historical legacies of Western colonialism. Enabling their peoples to exercise the right to self-determination conformed to the principles of the Charter of the United Nations and was conducive to world peace and development. Over the preceding 70 years, countries in Asia, Africa and Latin America had struggled relentlessly to shake off the yoke of Western colonialism and aggression and to achieve independence. The United Nations had played an important role in the process through its adoption of the Declaration on decolonization and the establishment of the Special Committee. The 17 remaining Non-Self-Governing Territories, however, presented complicated issues, and much remained to be done.

44. China supported the sovereign claim of Argentina to the Malvinas Islands. Meanwhile, the parties concerned should act in conformity with the Charter and the relevant General Assembly resolutions, engage peacefully in dialogue and negotiations and try to find political solutions that would be just, lasting and acceptable to all.

45. China, an active participant in the work of the Committee, stood ready to collaborate in furthering the goals of the Third International Decade for the Eradication of Colonialism.

46. **Mr. Tiare** (Burkina Faso), reaffirming his country's solidarity with the peoples of the Non-Self-Governing Territories and their legitimate aspiration to decide their own fate, said that the role of the United Nations in furthering the self-determination of over 100 nations, including his own, had been of paramount importance. That work, which required the collective commitment of the international community, must be pursued until no peoples were deprived of that inalienable right.

47. With reference to Western Sahara, Burkina Faso had endorsed the autonomy initiative put forward by Morocco, recalling that the Security Council had described the efforts of Morocco to solve the dispute as serious and credible. The proposal satisfied the principle of self-determination because it took into account the particularities of the Territory. The dispute was a regional one and the political solution therefore depended on cooperation among the States in the region. Resolving the Western Sahara controversy would enable them to join forces in combatting the worsening regional problem of insecurity. It was to be hoped that the Special Envoy of the Secretary-General could soon convince all the parties to the dispute of the urgency of reaching a compromise.

48. In the meantime, the Saharan population was benefiting from the many socioeconomic improvements that Morocco had introduced, such as the massive investment plan being implemented to boost development in the Sahara region, and the Saharans were being integrated into the social and political life of the country.

49. **Mr. Abdullahi** (Nigeria) said that all available options should be explored for hastening the self-determination of both occupied Territories and those under the control of administering Powers. As new conflicts emerged, the old, unresolved conflicts must not be forgotten. The suffering of the Palestinian people and the blockade of Gaza continued. Western Sahara remained a Non-Self-Governing Territory some 40 years after the International Court of Justice had delivered its advisory opinion on the issue and the General Assembly had adopted resolution 34/37. The negotiations had, sadly, not yet produced any significant result in the interim. The question of a homeland for the Palestinian people and the quest for a free and impartial self-determination referendum for the Sahrawi people were therefore among the most urgent tasks on the United Nations agenda.

50. A genuine political settlement in Western Sahara remained the best option but the commitment must be there to produce a clear path to peace. A high level of

collaboration from the United Nations was crucial, especially considering the possible impact of the conflict on regional stability amid the growing threat of violent extremism. Furthermore, the United Nations must determine a date for holding the referendum, because the failure to hold the referendum for which MINURSO had been established and to which the people were entitled had long been a blight on the integrity of the United Nations. Enabling both Palestine and Western Sahara to decide their own future, after long years of agony, would be consistent with Goal 16 of the Sustainable Development Goals, which concerned access to justice for all. The Committee must impress upon the world the responsibility to stand up for justice for the peoples of Palestine and Western Sahara and all other Non-Self-Governing Territories.

51. **Mr. Da Costa** (Mozambique) said that the international community, drawing inspiration and guidance from the 2030 Agenda for Sustainable Development, must intensify efforts to end colonialism in all its forms, thus creating the conditions for the well-being of humanity and ensuring that no one was left behind.

52. In the Middle East, the unfortunate expansion of Israeli settlements in Palestine highlighted the need for a political settlement to the conflict in that region as well. In Africa, the lack of progress in the decolonization of Western Sahara remained a matter of grave concern. The international community should exercise its responsibility by following up on the resolutions adopted by the Security Council and the General Assembly, and by collaborating with the African Union High Representative for Western Sahara. Mozambique welcomed the readmission of Morocco to the African Union family on the understanding that it would be an additional step towards the self-determination of the people of the Territory. The holding of a referendum on the matter would certainly be a means of achieving a peaceful and lasting solution. The Joint United Nations-African Union Framework for an Enhanced Partnership in Peace and Security, signed earlier in 2017, and the appointment of the new Personal Envoy of the Secretary-General for Western Sahara were further steps that would bring about a settlement of the conflict.

53. **Mr. Nyago** (Uganda) said that it was incumbent on the United Nations to help the people still living in Non-Self-Governing Territories to obtain their inalienable right to self-determination in accordance with the principles of the Charter. On the African continent, the problem of the Territory of Western Sahara remained a question of occupation and a case for decolonization. Uganda, in conformity with the Charter and the founding documents of the Organization of African Unity and its successor body, was committed to the holding of a free and fair referendum to determine the future of the Sahrawi people. The African Union member States felt a particular responsibility to end all colonization on their continent.

54. The recent reintegration of the Kingdom of Morocco into the African Union was an opportunity to resolve definitively the issue of decolonizing Western Sahara, with Morocco abiding fully by its obligations under the Constitutive Act of the African Union. In April 2017, the Security Council had called for the political process to be relaunched with a new dynamic spirit. Uganda had enormous expectations of the new Personal Envoy of the Secretary-General for Western Sahara and hoped that he would find a mutually acceptable political solution for the question of Western Sahara, with Morocco and the Sahrawi people, represented by the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario), working with him. The Personal Envoy should establish, as a matter of urgency, time-bound negotiations between the Frente Polisario and Morocco. The status quo was unsustainable. Maintaining it would result in grave consequences for the Sahrawi people, the region, the African continent and the world. The Committee must not allow that to happen.

55. **Mr. Richardson** (Saint Lucia), expressing solidarity with the many dependent Territories and other Caribbean islands that had been devastated by hurricanes in September 2017, as well as with the people of Mexico following the recent earthquakes, said that the Territories would require external assistance in the daunting task of reconstruction. As associate members of the Economic Commission for Latin America and the Caribbean, the Territories would benefit from the Commission's disaster assessment methodology in estimating the impact of the hurricanes; and they ought to be helped towards sustainable development.

56. The promise of decolonization remained unfulfilled in particular for the small island Territories in the Caribbean and the Pacific. The Committee's work would be significantly advanced by a proper follow-through on the actions called for in the General Assembly resolutions, declarations and programmes of action in furtherance of decolonization. His delegation urged the Secretary-General to identify the reasons for

the inaction and take appropriate measures to move the process forward.

57. Self-determination had long been recognized as a fundamental human right. While the internal constitutional reforms undertaken in some Territories were welcome, they did not substitute for a legitimate process of actual self-determination leading to decolonization involving the choice of one of the options for gaining political equality, namely, independence, or free association or integration with an independent State.

58. The inclusion of the Caribbean Non-Self-Governing Territories in a number of regional institutions was indicative of the strong ties that bound the people of the region, irrespective of political status. His delegation would work assiduously to ensure that those Territories and others similarly situated achieved the full measure of self-government.

59. The question of Western Sahara remained an important item on the Committee's agenda. His delegation looked forward to a productive resumption of negotiations between the parties under the guidance of the Personal Envoy of the Secretary-General. Given the regional nature of the dispute, the neighbouring countries could make contributions to the United Nations-led political process.

60. Saint Lucia would continue to address the challenges of the contemporary colonial dynamic and, through its membership in regional institutions and the Special Committee and its consultation with the relevant administering Powers and the United Nations Secretariat, would continue its efforts to bring about decolonization for the people of the remaining Territories.

61. **Mr. Maope** (Lesotho) said that as the United Nations continued to grapple with colonialism in the twenty-first century, all freedom- and peace-loving nations must intensify their efforts to enable the remaining colonial Territories to determine their own destiny without further delay. Constructive multilateralism was needed, imperial States Members of the Organization must adhere to the principles of the Charter on the peaceful resolution of disputes, self-determination and human rights, and colonial Powers had to be engaged by the international community in genuine and honest negotiations.

62. Lesotho reiterated its consistent support for Western Sahara in its struggle for self-determination. The people of the Territory yearned for peace, freedom and the right to decide their own destiny. The parties to the dispute needed to enter with renewed political will into genuine and unconditional negotiations to pave the way for decolonization, peace and stability. The efforts of the Secretary-General and his Personal Envoy to find a just and mutually acceptable solution that would lead to self-determination deserved encouragement. Denial of the fundamental right of any colonized people to self-determination would remain a source of conflict until independence was attained. Thus, every effort must be made to implement the relevant United Nations resolutions on decolonization.

63. **Mr. Diallo** (Guinea) said that the question of Western Sahara should be resolved through political dialogue and constructive compromise in accordance with the relevant Security Council resolutions. Guinea supported the relaunching of the negotiation process as outlined in the Secretary-General's report S/2017/307 and Security Council resolution 2351 (2017) with a view to reaching a mutually acceptable political solution based on realism and a spirit of compromise, with the Secretary-General's new Personal Envoy serving as facilitator.

64. On the other hand, it viewed with concern the deterioration of the living conditions of the Saharan refugees in the Tindouf camps. The populations in the camps must be registered in order to be provided for adequately.

65. The 2007 Moroccan autonomy initiative, described by the Security Council as a serious and credible way forward, had laid the foundation for the autonomy of the Saharan region within Morocco through the establishment of fully competent executive, legislative and judicial bodies and the organization of transparent communal and regional elections, as a result of which local Saharans had taken up leading regional positions. The Moroccan Government had also launched an ambitious development programme that would benefit the region. Guinea believed that the Moroccan autonomy initiative was consistent with the principle of resolving disputes through negotiated political solutions and was the only framework that offered a compromise resolution of the conflict.

66. **Mr. Ntonga** (Zimbabwe) said that it was the inalienable right of the people of Western Sahara to decide their own status by taking part in a self-determination referendum under the auspices of the United Nations and the African Union. After 41 years of life in the camps, a generation of Saharan refugees born in exile as well as their own children, who were already

adults, were looking to the international community to facilitate their return to their own country so that they too could make their voices heard. It was his delegation's view that Security Council resolution 2351 (2017), by extending the mandate of MINURSO for one year, had made it clear that the goal was self-determination through a referendum; and that the Secretary-General had also underscored the need for renewed peace negotiations with that same aim. It was urgent for the two parties to the dispute to cooperate fully with the newly appointed Personal Envoy of the Secretary-General and to negotiate without preconditions and in good faith to enable the people of the Territory to freely choose their political future.

67. Mindful of the call of the Peace and Security Council of the African Union for the two parties to engage immediately in direct and serious talks without preconditions to overcome the current impasse in the Western Saharan conflict, the parties should cooperate with the African Union High Representative for Western Sahara, who had been empowered to facilitate talks between those two African Union member States and to mobilize African efforts at the United Nations to resolve the question.

68. His delegation drew attention to a January 2017 decision by the African Union Assembly, urging the restoration of the full functions of MINURSO with respect to the referendum, and raising the issues of human rights violations and illegal exploitation of natural resources in Western Sahara. In that connection, a 2016 ruling by the Court of Justice of the European Union, upholding the long-established legal status of Western Sahara as a Non-Self-Governing Territory separate from Morocco, had stipulated that trade agreements governing agricultural and fishing products between the European Union and Morocco applied exclusively to territory within the internationally recognized border of Morocco and excluded the Territory. The United Nations must work actively to ensure a peaceful resolution of the question of Western Sahara.

69. **Ms. Grignon** (Kenya), welcoming the report of the Special Committee on decolonization (A/72/23) said she hoped that the resolutions adopted by the Committee would be implemented to hasten the liberation of the peoples still living in bondage under colonial rule or foreign occupation. Her own country's long struggle for national liberation guided its foreign policy approach, linking national independence inextricably to equity and the larger freedom and shared heritage of humanity. All the available options for self-determination were valid, provided that they were in accordance with the freely expressed wishes of the people concerned and in conformity with the clearly defined principles of the General Assembly. Achieving conclusive decolonization in Africa and elsewhere was a priority, for colonialism, a shameful vestige of a bygone era, violated democracy and freedom and impeded sustainable economic and cultural development.

70. The African Union had clearly expressed its position on the self-determination of the peoples of Western Sahara and the Chagos Islands in the Indian Ocean. Western Sahara was still colonized because it was rich in natural resources. That was the only reason why all efforts to find a lasting solution had failed since the decision had been taken to decolonize the Territory fifty-four years earlier. The prevailing deadlock in the peace negotiations only heightened tensions and undermined efforts to promote integration in Africa. The Secretary-General's current initiatives and the appointment of his new Personal Envoy should help to revitalize the political process and spur the parties to act in a spirit of trust and compromise for the benefit of the people of Western Sahara. The United Nations and the international community must lend their full support also to African efforts to overcome current impediments. Both Morocco and the Saharan Arab Democratic Republic were members of the African Union and should seriously engage in direct talks without preconditions, with the facilitation of the African Union High Representative for Western Sahara.

71. **Mr. Islam** (Bangladesh) said that the subjection of peoples to alien subjugation, domination and exploitation constituted a denial of fundamental human rights, ran counter to the Charter of the United Nations and the spirit of the Third International Decade for the Eradication of Colonialism, and undermined international peace and security. The Bangladesh Constitution expressly supported oppressed peoples throughout the world waging a just struggle against imperialism, colonialism or racialism. The United Nations must continue its efforts on behalf of the 17 remaining Non-Self-Governing Territories.

72. Administering Powers had an obligation to promote the advancement of the peoples under their rule, cooperating with the Special Committee in its work and, where applicable, facilitating visiting missions by the Special Committee to the Territories. The administering Powers were also expected to develop time-bound programmes of work tailored to the needs of

their Territories and to comply with their reporting obligations.

73. The shared commitment to leave no one behind affirmed in the 2030 Agenda for Sustainable Development called for a continuing, meaningful effort by the United Nations to address the challenges faced by the peoples of the Territories in their legitimate pursuit of political, economic, social and educational advancement. Especially appreciated was the generosity of Member States that provided scholarships for education and training to students of Non-Self-Governing Territories.

74. **Mr. Koroma** (Sierra Leone) said that self-determination was an inalienable right of people the world over, irrespective of their race, colour or ethnic origin or the size of their homelands. For the remaining 17 Non-Self-Governing Territories, the principle of self-determination should be applied on a case-by-case basis. The administering Powers needed to work closely with the Special Committee in an atmosphere of mutual trust and respect. The visiting missions conducted by the Special Committee in the Territories to obtain first-hand information on the actual situation on the ground were an opportunity to interact with stakeholders and to provide unbiased and accurate reporting to the Member States.

75. Sierra Leone fully supported the renewed political process in Western Sahara and was particularly encouraged by the plans of the Secretary-General's new Personal Envoy to visit the Territory and by the readiness of Morocco to fully support that mission within the parameters established by the Security Council.

76. It shared the anticipation of the people of New Caledonia, who would be voting in their referendum in 2018, and saluted them for embracing peace and tolerance for each other over the years. The Government of France had ably implemented the Nouméa Accord and the gradual transfer of functions to the Territorial government. The problems associated with the electoral lists should be settled amicably before the referendum. He appealed to the people of New Caledonia to continue to be peaceful and law-abiding and to address any grievances through legal channels.

77. The people of the Falkland Islands (Malvinas) and all peace-loving nations of the world would like to see the permanent and peaceful resolution of the conflict over that Territory. Only a negotiated political settlement would resolve the problem. The parties concerned were therefore urged to resume negotiations that would lead to a definitive solution. The people of the disputed Islands had the right to live in an atmosphere of peace and tranquility, free of fear, and to pursue their aspirations for the betterment of their society.

78. **Ms. Abdullah** (Yemen) said that her country had always rejected hegemony and colonization and believed in the dignity of human beings and democracy and in creating an environment conducive to peaceful relations based on the equality of all peoples and the right to self-determination. Fundamental freedoms and human rights for all must be upheld without discrimination based on ethnicity, race, religion or language.

79. Yemen supported the aspirations of those Territories seeking to achieve independence and commended the Committee and the Special Committee on their work in that regard. Colonization was an obstacle to economic, social and cultural development and ran counter to the principles of the United Nations. All peoples had the right to express their sovereign will, ensure their territorial integrity and work towards decolonization.

80. Her delegation supported the efforts of the Secretary-General and his Personal Envoy to reach a settlement to the conflict in Western Sahara. All the Security Council resolutions must be implemented, and Morocco deserved support for its efforts to facilitate a political settlement of the conflict.

81. The Israeli occupation of the Palestinian territories and its settlement activities were a source of conflict in the Arab region. A just solution would ensure the establishment of a Palestinian State with East Jerusalem as its capital, thus ending the suffering of the Palestinian people.

Statements made in exercise of the right of reply

82. **Ms. Hourmouzios** (United Kingdom), replying to a statement made by the representative of Spain concerning Gibraltar at the Committee's 3rd meeting, said that her Government had sovereignty over Gibraltar and the waters surrounding it and that, as a separate Territory recognized by the United Nations and included since 1946 on its list of Non-Self-Governing Territories, Gibraltar enjoyed the rights accorded to it under the Charter of the United Nations. The people of Gibraltar enjoyed the right of self-determination. The 2006 Gibraltar Constitution, which had been endorsed by

referendum, provided for a modern and mature relationship between Gibraltar and the United Kingdom. Gibraltar had a vigorous parliamentary democracy of its own and was responsible for everything apart from foreign affairs, defence and international security. It was still the position of her Government that the fundamentals of their constitutional relationship were correct, although it was open to a dialogue on proposals put forward by Gibraltar. Her Government, refuting the allegations that the United Kingdom had illegally occupied the isthmus and surrounding waters, pointed out that under international law, as established by the United Nations Convention on the Law of the Sea, territorial waters flowed from sovereignty over the land. Therefore, it followed inexorably that the State which was sovereign over the land, as in the case of the United Kingdom, was also sovereign over the territorial waters. The government of Gibraltar had constitutional competence for taxation and maintained a fair and open tax system. On financial, taxation and money-laundering matters, Gibraltar complied with all applicable European Union directives and shared information systematically and spontaneously with all other members of the Egmont Group of Financial Intelligence Units and with the Organisation for Economic Cooperation and Development. The European Commission had recognized the commitment that the Gibraltar government had made to tackle cigarette smuggling between Gibraltar and Spain, as well as the significant steps that it had already taken. The Gibraltar government had repeatedly made clear its desire to work more closely and directly with its Spanish counterparts to deal with the issue.

83. Replying to statements regarding the Falkland Islands made by the representatives of Peru, Mexico, Honduras and China earlier in the current meeting, she reiterated that the United Kingdom had no doubt about its sovereignty over the Falkland Islands and the South Georgia and South Sandwich Islands and surrounding maritime areas. Nor did it doubt the right of the Falkland Islanders to self-determination as enshrined in the Charter of the United Nations and in article 1 of the two International Covenants on human rights by virtue of which the Falkland Islanders freely determined their political status and freely pursued their economic, social and cultural development.

84. **Mr. Mazzeo** (Argentina), replying to the remarks of the representative of the United Kingdom regarding the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas, said that they were an integral part of the Argentine national territory, had been illegally occupied by the United Kingdom and were the subject of a sovereignty dispute which was recognized by a number of international organizations. That illegal occupation had led the General Assembly to adopt resolution 2065 (XX) and nine subsequent resolutions, all of which recognized the existence of the sovereignty dispute over the Malvinas Islands and called upon the two Governments to resume negotiations with a view to finding a peaceful and lasting solution to the dispute as soon as possible. For its part, the Special Committee had repeatedly adopted resolutions in the same vein, most recently the one currently before the Committee, and the General Assembly of the Organization of American States had adopted each year a new statement on the question in similar terms.

85. The principle of the self-determination of peoples — the sole element underpinning the United Kingdom position — was blatantly and totally inapplicable and without foundation in the case of the sovereignty dispute between the two countries relating to the Malvinas Islands, South Georgia Islands and South Sandwich Islands and the surrounding maritime areas. The interests of the residents of the Islands and their way of life were adequately covered by the relevant General Assembly resolutions and by the Constitution of the Argentine Republic.

86. **Ms. Pedros Carretero** (Spain), replying to the remarks of the representative of the United Kingdom regarding Gibraltar, said that the Rock of Gibraltar had been ceded by Spain to the United Kingdom by the Treaty of Utrecht of 1713, but only the city and castle of Gibraltar, together with its port, defences and fortresses, were ceded, and not any territorial jurisdiction. The title was perfectly clear in that respect. The waters remained under Spanish sovereignty since they had not been ceded in the Treaty or at any other time. The United Kingdom, ignoring the terms of the Treaty, had illegally occupied the isthmus linking Gibraltar to the Iberian Peninsula. The Fence had been constructed in 1909 by the United Kingdom.

87. No agreements on financial questions existed between Gibraltar and any of the European Union member States, to which Spain could attest as a member. Furthermore, it should be recalled that the so-called self-determination exercise or referendum in which the Gibraltarians had taken part in 1967 had been convened by the administrating Power and condemned by General Assembly resolution 2353 (XXII) as a contravention of the provisions of General Assembly resolution 2231

(XXI). The view of the United Nations and the General Assembly was absolutely clear on that point.

88. In response to certain allegations made at a previous meeting, she recalled that Spain was a democratic State governed by the rule of law and that the Constitution did not contemplate the right to sedition by parts of the country, which effectively were not colonies but which, in many cases, consisted of communities that enjoyed extremely high levels of autonomy. The King and the Spanish authorities had dismissed as illegal the fake referendum held on 1 October 2017 in Catalonia. Spain protected the rights of all its citizens, whether pro- or anti-independence. The Spanish police and civil guard had acted in accordance with orders they had received from the judges and the courts. Force had been used only in response to violence or violent resistance to the action of the police. If excesses had occurred, the judges and the courts, which in Spain were independent, would have to make a determination after submission of a complaint. In a nation governed by the rule of law, violations could not take place with impunity.

The meeting rose at 12.50 p.m.